

ORDINANCE NO. 14-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of utility and drainage easements; that the applicants have represented to the City of Huntsville that Diltina Development Corporation, is the owner of the property across which said easements lie; that said easements, or portions being vacated, are not presently used and are no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easements hereinafter described, said deed being substantially in words and figures as follows, to-wit:

**STATE OF ALABAMA
COUNTY OF MADISON**

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENT, that the undersigned **CITY OF HUNTSVILLE**, an Alabama Municipal corporation, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) in hand paid by **DILTINA DEVELOPMENT CORPORATION**, an Alabama Corporation hereinafter referred to as Grantees, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, do hereby remise, release, quitclaim, and convey unto the Grantees, all of the Grantor's right, title, interest and claim in and to the following described real estate situated in the County of Madison, State of Alabama, to-wit:

UTILITY AND DRAINAGE EASEMENT "A" TO BE VACATED

ALL THAT PART OF SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 1 EAST, CITY OF HUNTSVILLE, MADISON COUNTY, ALABAMA, AND BEING A PORTION OF A UTILITY AND DRAINAGE EASEMENT LYING WITHIN TRACT 34 AS SHOWN ON THE FINAL PLAT OF INSPIRATION ON GREEN MOUNTAIN AS RECORDED IN DOCUMENT NO. 20090828000563380 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CAPPED IRON PIN MARKING THE SOUTHWEST CORNER OF LOT 16 OF SAID INSPIRATION ON GREEN MOUNTAIN SUBDIVISION; THENCE SOUTH 2 DEGREES 21 MINUTES 10 SECONDS WEST, 10.01 FEET TO THE POINT OF BEGINNING;

THENCE, FROM THE POINT OF BEGINNING, NORTH 89 DEGREES 55 MINUTES 48 SECONDS EAST, 20.08 FEET TO A POINT; THENCE SOUTH 5 DEGREES 01 MINUTE 00 SECONDS WEST, 86.13 FEET TO A POINT; THENCE SOUTH 89 DEGREES 37 MINUTES 32 SECONDS WEST, 20.09 FEET TO A POINT; THENCE NORTH 5 DEGREES 01 MINUTE 00 SECONDS EAST, 86.24 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.04 ACRES (1724 SQUARE FEET) MORE OR LESS.

UTILITY AND DRAINAGE EASEMENT "B" TO BE VACATED

ALL THAT PART OF SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 1 EAST, CITY OF HUNTSVILLE, MADISON COUNTY, ALABAMA, AND BEING A PORTION OF A UTILITY AND DRAINAGE EASEMENT LYING WITHIN TRACT 34 AS SHOWN ON THE FINAL PLAT OF INSPIRATION ON GREEN MOUNTAIN AS RECORDED IN DOCUMENT NO. 20090828000563380 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CAPPED IRON PIN MARKING THE SOUTHWEST CORNER OF LOT 16 OF SAID INSPIRATION ON GREEN MOUNTAIN SUBDIVISION; THENCE SOUTH 2 DEGREES 21 MINUTES 10 SECONDS WEST, 10.01 FEET TO A POINT; THENCE NORTH 89 DEGREES 55 MINUTES 48 SECONDS EAST, 20.08 FEET TO A POINT; THENCE SOUTH 5 DEGREES 01 MINUTE 00 SECONDS WEST, 96.17 FEET TO THE POINT OF BEGINNING;

THENCE, FROM THE POINT OF BEGINNING, SOUTH 5 DEGREES 01 MINUTE 00 SECONDS WEST, 135.51 FEET TO A POINT; THENCE NORTH 50 DEGREES 40 MINUTES 58 SECONDS WEST, 64.82 FEET TO A POINT; THENCE NORTH 0 DEGREES 04 MINUTES 12 SECONDS WEST, 2.23 FEET TO A POINT; THENCE SOUTH 84 DEGREES 59 MINUTES 00 SECONDS EAST, 33.74 FEET TO A POINT; THENCE NORTH 5 DEGREES 01 MINUTE 00 SECONDS EAST, 94.87 FEET TO A POINT; THENCE NORTH 89 DEGREES 37 MINUTES 32 SECONDS EAST, 20.09 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.07 ACRES (3014 SQUARE FEET) MORE OR LESS.

UTILITY AND DRAINAGE EASEMENT "C" TO BE VACATED

ALL THAT PART OF SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 1 EAST, CITY OF HUNTSVILLE, MADISON COUNTY, ALABAMA, AND BEING A PORTION OF A UTILITY AND DRAINAGE EASEMENT LYING WITHIN TRACT 34 AS SHOWN ON THE FINAL PLAT OF INSPIRATION ON GREEN MOUNTAIN AS RECORDED IN DOCUMENT NO. 20090828000563380 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CAPPED IRON PIN MARKING THE SOUTHWEST CORNER OF LOT 16 OF SAID INSPIRATION ON GREEN MOUNTAIN SUBDIVISION; THENCE SOUTH 2 DEGREES 21 MINUTES 10 SECONDS WEST, 10.01 FEET TO A POINT; THENCE NORTH 89 DEGREES 55 MINUTES 48 SECONDS EAST, 20.08 FEET TO A POINT; THENCE SOUTH 5 DEGREES 01 MINUTE 00 SECONDS WEST, 231.68 FEET TO A POINT; THENCE SOUTH 50 DEGREES 40 MINUTES 58 SECONDS EAST, 2.25 FEET TO THE POINT OF BEGINNING;

THENCE, FROM THE POINT OF BEGINNING, SOUTH 84 DEGREES 59 MINUTES 00 SECONDS EAST, 25.65 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1235.00 FEET, AN ARC LENGTH OF 20.42 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 85 DEGREES 26 MINUTES 58 SECONDS EAST, 20.42 FEET TO A POINT; THENCE SOUTH 40 DEGREES 14 MINUTES 16 SECONDS WEST, 26.11 FEET TO A POINT; THENCE NORTH 50 DEGREES 40 MINUTES 58 SECONDS WEST, 37.55 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.01 ACRES (487 SQUARE FEET) MORE OR LESS.

UTILITY AND DRAINAGE EASEMENT "D" TO BE VACATED

ALL THAT PART OF SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 1 EAST, CITY OF HUNTSVILLE, MADISON COUNTY, ALABAMA, AND BEING A PORTION OF A UTILITY AND DRAINAGE EASEMENT LYING WITH TRACT 34 AS SHOWN ON THE FINAL PLAT OF INSPIRATION ON GREEN MOUNTAIN AS RECORDED IN DOCUMENT NO. 20090828000563380 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CAPPED IRON PIN MARKING THE SOUTHWEST CORNER OF LOT 16 OF SAID INSPIRATION ON GREEN MOUNTAIN SUBDIVISION; THENCE SOUTH 2 DEGREES 21 MINUTES 10 SECONDS WEST, 10.01 FEET TO A POINT; THENCE NORTH 89 DEGREES 55 MINUTES 48 SECONDS EAST, 20.08 FEET TO A POINT; THENCE SOUTH 5 DEGREES 01 MINUTE 00 SECONDS WEST, 231.68 FEET TO A POINT; THENCE SOUTH 50 DEGREES 40 MINUTES 58 SECONDS EAST, 54.80 FEET TO THE POINT OF BEGINNING;

THENCE, FROM THE POINT OF BEGINNING, NORTH 40 DEGREES 14 MINUTES 16 SECONDS EAST, 37.00 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1235.00 FEET, AN ARC LENGTH OF 25.98 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 87 DEGREES 23 MINUTES 34 SECONDS EAST, 25.98 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET, AN ARC LENGTH OF 27.36 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 35 DEGREES 44 MINUTES 53 SECONDS EAST, 23.72 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 410.00 FEET, AN ARC LENGTH OF 51.87 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 12 DEGREES 52 MINUTES 30 SECONDS WEST, 51.84 FEET TO A POINT; THENCE NORTH 50 DEGREES 40 MINUTES 58 SECONDS WEST, 67.42 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.06 ACRES (2679 SQUARE FEET) MORE OR LESS.

TO HAVE AND TO HOLD unto the said grantees, their heirs, successors and assigns forever.

IN WITNESS WHEREOF, Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, this the 9th day of October, 2014.

CITY OF HUNTSVILLE, ALABAMA
a municipal corporation

BY: _____
TOMMY BATTLE, MAYOR

ATTEST:

BY: _____
CHARLES E. HAGOOD
CLERK-TREASURER

**STATE OF ALABAMA
COUNTY OF MADISON**

I, the undersigned, a notary public in and for said County, in said State hereby certify that **TOMMY BATTLE AND CHARLES E. HAGOOD**, whose names as **MAYOR** and **CITY CLERK-TREASURER**, respectively, of **THE CITY OF HUNTSVILLE, ALABAMA**, a municipal corporation are signed to the foregoing document, and who are know to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the 9th day of October, 2014.

Notary Public

My commission expires: _____

Grantee's Name and Mailing Address:
Diltina Development Corporation
7545-A Highway 72 West
Madison, AL 35758

Date of Sale: _____

Property Address: Vacant Land

THIS INSTRUMENT PREPARED BY:
KEITH S. JONES
WOLFE, JONES, WOLFE,
HANCOCK, DANIEL & SOUTH, LLC
905 BOB WALLACE AVE.
HUNTSVILLE, ALABAMA 35801
256-534-2205

Ordinance No. 14-_____ (Cont.)
Diltina Development Corporation

ADOPTED this the 9th day of October, 2014.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 9th day of October, 2014.

Mayor of the City of
Huntsville, Alabama